

**UNITED STATES DISTRICT COURT
FOR THE
DISTRICT OF GUAM**

UNITED STATES OF AMERICA,)	CRIMINAL CASE NO. 07-00088-001
)	
Plaintiff,)	
)	
vs.)	INFORMATIONAL REPORT
)	
BRYAN PAUL REYES,)	
)	
Defendant.)	
_____)	

Re: Violations of Pretrial Release Conditions; No Action Requested

On September 21, 2008, Bryan Paul Reyes made an Initial Appearance before Magistrate Judge Joaquin V.E. Manibusan, Jr., pursuant to an Indictment charging him with Theft of Government Property, in violation of 18 U.S.C. § 641.

On the same date, Mr. Reyes was released on a personal recognizance bond with conditions that he report to the U.S. Probation Office as directed; maintain or actively seek employment; surrender any passport to the U.S. Probation Office; obtain no passport; not change residence without prior notification to the U.S. Probation Office; refrain from possessing a firearm, destructive device, or other dangerous weapons; refrain from any use of alcohol; refrain from use or unlawful possession of a narcotic drug or other controlled substances defined in 21 U.S.C. § 802, unless prescribed by a licensed medical practitioner; submit to any method of testing required by the pretrial services office or the supervising officer for determining whether the defendant is using a prohibited substance; and surrender to the Superior Court of Guam authorities to address pending traffic warrant. On October 24, 2007, conditions were modified by the Court to include that Mr. Reyes participate in a program of inpatient or outpatient substance abuse therapy and counseling after he tested positive for use of methamphetamine on September 21, 2007.

He is alleged to have violated the following conditions of release:

Standard Condition: *Submit to any method of testing required by the pretrial services office or the supervising officer for determining whether the defendant is using a prohibited substance. Such methods may be used with random frequency and include urine testing, the wearing of a sweat patch, a remote alcohol testing system, and/or any form of prohibited substance screening or testing.*

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On January 21, 2008, Mr. Reyes failed to report as required for a drug test at the drug testing vendor. On January 22, 2008, this Officer met with Mr. Reyes to discuss his noncompliance with drug testing. He stated that he called the drug testing hotline in the morning of January 21, 2008 and noted the recording reported "no testing." This Officer advised him that he called the hotline at the incorrect time. He was reminded to call the hotline everyday, between the hours of 8:30 p.m. and 12:00 a.m., in accordance with the substance abuse testing policy and procedure. On the same date, he was subjected to a drug test, which was negative for illicit substances.

On February 4, 2008, Mr. Reyes failed to report as required for a drug test at the drug testing vendor. On February 5, 2008, this Officer met with Mr. Reyes to discuss his noncompliance with drug testing. He stated that he missed the drug test to attend a rosary for his paternal grandfather. On the same date, he was subjected to a drug test, which was negative for illicit substances.

Recommendation: It is recommended that this report be for informational purposes only and no action be taken at this time. Mr. Reyes has been warned of the consequences of further violations. His compliance will continue to be closely monitored. Any further violations will be reported to the Court accordingly.

Respectfully submitted,

ROSSANNA VILLAGOMEZ-AGUON
Chief U.S. Probation Officer

By:



/s/ JOHN W. SAN NICOLAS II
U.S. Probation Officer

Reviewed by:



/s/ CARMEN D. O'MALLAN
U.S. Probation Officer Specialist
Supervision Unit Leader

cc: AUSA
AFPD
File